July 2, 1970

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German Patent Appln
P 16 92 931.0-41
Our Ref: M 74 355
Case: 582-509 B Foreign
Philip Morris Incorp.

Dear Sirs:

Following up our letter of June 9, 1970, we would point out that, when requesting the examination of the application as to its merits, we simultaneously revised the claims along the lines of your instructions of April 28, 1970, in order to be certain that, when commencing the examination, the Examiner will start out from the revised version.

When the individual percentages by weight stated in claim 1 are added up, e.g. 90.0% fibrous tobacco material, 2.0% calcium, 0.1% potassium, 5.0% malic acid, 0.75% citric acid, 1.0% humectant and 5.0% sugar, they result in 103.85%. When the further substances optionally contained in the smoking tobacco are added, e.g. 0.3% magnesium, 1.0% nicotin and 0.8% phosphate, this results in a total percentage of 105.95. It is possible that the Examiner may overlook this fact; if not, all the numerical values would have to be divided by the value 1.0595 or - in case the Examiner should allow this - "% by weight" would have to be replaced by "parts by weight" in order to save the numerical statements in the claim.

We should be much obliged to you for commenting on this problem.

We beg to enclose:

- our debit note in duplicate.

Yours very truly,

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enc.

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